

**MINUTES
LICENSING COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
1917 IH35 South
AUSTIN, TX 78741
August 17, 2011 — 1:00 PM**

Call to Order. Committee Chair James "Jim" Greer, P.E., called the Licensing Committee meeting to order at 1:12 p.m., on August 17, 2011, at the Texas Board of Professional Engineers, (TBPE) 1917 South IH-35, Austin, Texas. (Note: All votes are unanimous unless otherwise indicated.)

1. Roll call and welcome visitors.

Jim Greer, P.E.	Chair
Carry A. Baker	Member
Bobby Balli, P.E.	Member
Govind Nadkarni, P.E.	Member

A quorum was present. Veena Mohan, Assistant Attorney General, was present to provide legal counsel. Mr. Edmundo Gonzalez, Jr., P.E., Emeritus Board Member was present.

The following staff members were present:

Lance Kinney, P.E.	Executive Director
Priscilla Pipho, MPA	Deputy Executive Director
David Howell, P.E.	Director of Licensing
Dewey Helmcamp, III, JD	Staff Attorney
Shannon Velasquez	Licensing Specialist
Dorothy Gonzales	Executive Assistant

Visitors. Al Kosik, Texas Department of Transportation (TxDOT).

Personal Appearance: Logan Joseph Riggs, Yasin Shadid Ali, Kirk Hall, Harrison Martin Hudson, Michael Gregory Kriebler, Francis Joseph Stanton, Denny Pak-Kei Wong, Brent Daniel Hurta, Jennifer Lee Henderson.

2. Public comment. None.

3. Discuss and possibly approve the May 18, 2011, Licensing Committee Minutes.

It was MOVED/SECONDED (Balli/Nadkarni) to approve the Licensing Committee Minutes of May 18, 2011 as submitted. A vote was taken, and the MOTION PASSED.

Discuss and Possibly Act on the Following (Agenda Items 4-6):

Mr. Greer read the following statement to the audience:

It is one of the primary obligations of the Texas Board of Professional Engineers to assure that Texas engineers are held to the highest standards of competency, integrity, and honesty. Public safety depends upon that standard and consistently achieving in our profession requires faithful and unwavering practice of honesty and integrity in all aspects of our lives not only when we sit at our desk.

4. Discuss and possibly act on applications for licensure: Personal Interviews.

Logan Joseph Riggs. This applicant was requesting to take the PE exam. He was referred to the Licensing Committee due to a 2006 criminal incident. Mr. Nadkarni asked the applicant to share with the Committee his reason for seeking to be a Texas PE. Mr. Riggs responded that he currently works with a PE in Houston, and is looking to relocate to Texas. He mentioned that he will be in Colorado for an additional six months. Mr. Greer asked the applicant to elaborate on the 2006 incident. The applicant thanked the Committee for allowing him to share his experience. He explained the situation and added that he is a volunteer firefighter/EMS in Colorado. He stated that he made a mistake and has changed his life. He apologized for his mistakes and commented that it will not happen again.

It was MOVED/SECONDED (Balli/Baker) to recommend to the Board at its Regular Quarterly Board meeting on August 18, 2011, to allow Mr. Riggs to take the PE exam. A vote was taken and the MOTION PASSED.

Yasin Shadid Ali. This applicant was requesting to have the FE exam waived and to be allowed to take the PE exam. He was referred to the Licensing Committee due to a 2008 criminal incident on his record. The applicant provided additional documents to the Committee. Mr. Greer asked the applicant to explain the circumstances of the 2008 incident. The applicant described the situation and commented that he takes full responsibility for his actions. He stated that he has since made changes in his life, and assured the Committee that this will not happen again.

It was MOVED/SECONDED (Balli/Baker) to recommend to the Board at its Regular Quarterly Board meeting on August 18, 2011, to approve the waiver of the FE and allow Mr. Ali to take the PE exam. A vote was taken and the MOTION PASSED.

Kirk Hall. This applicant was requesting to take the PE exam. He was referred to the Licensing Committee due to a 2006 criminal incident. Mr. Hall provided the Committee with additional documents. The applicant read a statement to the Committee thanking them for the opportunity to appear before them, recognizing that he made a mistake and taking full responsibility. He described the experience and the changes that have occurred since then. He assured the Committee that he would not have similar issues in the future.

It was MOVED/SECONDED (Nadkarni/Balli) to recommend to the Board at its Regular Quarterly Board meeting on August 18, 2011, to allow Mr. Hall to take the PE exam. A vote was taken and the MOTION PASSED.

Harrison Martin Hudson. This applicant was requesting to take the PE exam. He was referred to the Licensing Committee due to a 2006 criminal incident. The applicant provided additional documents to the Committee. The applicant thanked the Committee for allowing him to appear before them. He commented that the incident actually occurred in 2005. He stated that he accepts full responsibility and realizes that he made a bad decision. He explained that the charge was reduced to obstruction of a highway and that he was placed on deferred adjudication and has completed all the court requirements. He added that he has made different friends, got married last year, and looks forward to becoming a Professional Engineer.

It was MOVED/SECONDED (Balli/Baker) to recommend to the Board at its Regular Quarterly Board meeting on August 18, 2011, to allow Mr. Hudson to take the PE exam. A vote was taken and the MOTION PASSED.

Michael Gregory Kriebler. This applicant was requesting to be licensed in Texas. He is currently licensed in several states and has passed both the FE and PE exams. He was referred to the Licensing Committee due to a 2004 criminal incident. He submitted additional documents to the Committee. The applicant apologized to the Committee for the 2004 incident. He stated that he accepts full responsibility, he was shook up during his jail term and realized he had to change his life. He assured the Committee that this incident taught him a lesson and would not happen again.

It was MOVED/SECONDED (Balli/Baker) to recommend to the Board at its Regular Quarterly Board meeting on August 18, 2011, to allow Mr. Kriebler to be licensed in Texas. A vote was taken and the MOTION PASSED.

Francis Joseph Stanton. This applicant was requesting to be licensed in Texas. He has passed both the FE and PE exams, and is licensed in several states. He was referred to the Licensing Committee due to a 2010 criminal incident. He provided court documents showing that he completed all court requirements as of April 2011. The applicant read a statement to the Committee accepting responsibility for his actions, outlining the 2010 incident, and added that this would not happen again.

It was MOVED/SECONDED (Balli/Baker) to recommend to the Board at its next Regular Quarterly Board meeting on August 18, 2011, to allow Mr. Stanton to be licensed in Texas. A vote was taken and the MOTION PASSED.

Denny Pak-Kei Wong. This applicant was requesting to take the PE exam. He passed the FE in 2005. He was referred to the Licensing Committee due to two criminal incidents from 2004 and 2008. The applicant shared the circumstances of the 2004 and 2008 incidents. The Committee asked the applicant several questions related to his actions and his responsibility. Committee members discussed the options related to requiring the applicant to get additional engineering experience before approving him to take the PE exam.

It was MOVED(Nadkarni) to recommend to the Board at its Regular Quarterly Board meeting on August 18, 2011, to recommend the applicant wait one year before taking the PE exam. Due lack of a second the motion was withdrawn; MOTION FAILED.

It was MOVED/SECONDED (Nadkarni/Baker) to recommend to the Board at its Regular Quarterly Board meeting on August 18, 2011, to hold Mr. Wong's application for one year; require one year of additional experience, have him provide more PE references and appear before the Committee again. A vote was taken and the MOTION PASSED.

Brent Daniel Hurta. This applicant is requesting to take the PE exam. He passed the FE exam in 2006. He was referred to the Licensing Committee due to a 2006 criminal incident. The applicant was asked to explain the circumstances of the incident. The Committee members asked questions related to his actions and how his version of the events did not coincide with the police reports. The applicant admitted that his recollection of the events may be less than accurate. The Committee members discussed the options of requiring additional experience before allowing him to take the PE exam.

It was MOVED/SECONDED (Balli/Nadkarni) to recommend to the Board at its Regular Quarterly Board meeting on August 18, 2011, to hold the application temporarily, but allow the applicant to take the PE exam in April 2012. A vote was taken and the MOTION PASSED.

Mr. Greer recommended to the applicant that he review the ethics statements.

The Committee Chair called for a break at 2:53 pm.
The Committee reconvened at 3:05 pm

Jennifer Lee Henderson. This applicant is requesting to take the PE exam. She applied in 2008, but the application was denied and she was asked to gain additional experience at that time. She reapplied in June 2011. Her application was referred to the Committee after Board circulation. Ms. Henderson stated that she has gained the requested additional experience since the last time she applied to take the PE exam. The Committee asked the applicant questions about her experience and the diversity of types of engineering positions she has held. They also asked about her current job and how long she has been doing that kind of engineering. The Committee discussed the amount of experience she has in her current field and the need for additional experience.

It was MOVED/SECONDED (Baker/Nadkarni) to recommend to the Board at its Regular Quarterly Board meeting on August 18, 2011, to hold the application until she provides documentation of one additional year of engineering experience and obtains additional PE reference statements. A vote was taken and the MOTION PASSED.

5. **Licensing Director's Report.**

- Discuss and possibly act on the following rule adoptions

- **§133.27—Application for Temporary License for Engineers Currently Licensed Outside the United States**— This rule proposal did not receive any comments. The change requires that the a temporary license application include at least three (3) PE reference statements.
- **§133.61—Engineering Examinations Required for a License to Practice as a Professional Engineer**—One comment was received regarding this rule change and it is addressed in the adoption preamble. The comment did not change the proposed rule language. The rule change allows exam registration fees to be collected and handled by the exam administration company.
- **§133.67—Examination on the Principles and Practice of Engineering**--- This rule proposal did not receive any comments. The change to this rule clarifies that the NCEES Structural Engineering PE exam consists of two components and both must be successfully completed within four consecutive exam administrations.
- **§133.73---Examination Analysis**-- This rule proposal did not receive any comments. This rule change clarifies that the applicant taking the Structural Engineering PE exam must get acceptable results on both components in order to pass the exam. It also clarifies the post-exam verification options.

It was MOVED/SECONDED (Nadkarni/Balli) to recommend to the Board at its Regular Quarterly Board meeting on August 18, 2011, to adopt §§133.27, 133.61, 133.67, and 133.73 as previously published. A vote was taken and the MOTION PASSED.

- **Reports.**

- **Software Engineer Update**—Mr. Howell reported that the Software Engineering Task Force created a document for other state licensing Boards on how to license Software Engineers. The initial draft was presented at the Software Engineering Consortium in July and will be presented at the MBA meeting in Rhode Island. Mr. Kinney added that at the MBA meeting, the state boards will be asked to participate and comment at the next MBA meeting. Mr. Nadkarni asked to get feedback from the other nine states who had expressed the need for the development of the Software Engineering PE exam as well as from NCEES.
- **Results and statistics: Application and Examination Report**—Mr. Howell reviewed with the Committee the report submitted as an exhibit.
- **Licensing processes**—Mr. Howell commented that the Licensing staff has been doing a great job in processing the applications. He added that he received the collusion report which stated that there were two pairs reported as having cheated on the exam. One person confessed to act and the other had strong physical evidence in the exam book. Both were banned for two years from taking the exam as allowed by Board rule.

6. **Issues for consideration and schedule next meeting.**

Mr. Greer would like to review the policy for referring applicants to the Committee for criminal incidents.

Adjourn.

Date Committee approved minutes as submitted:
Date Board accepted minutes:

November 16, 2011
November 17, 2011